



JC04 RECD PCT/PTO 05 OCT 2005

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re U.S. Patent Application of )  
SUGAHARA et al. )  
Application Number: 10/522,241 )  
Filed: January 25, 2005 )  
For: A SPIN TRANSISTOR BASED ON THE SPIN- )  
FILTER EFFECT AND A NONVOLATILE MEMORY )  
USING SPIN TRANSISTORS )  
ATTORNEY DOCKET No. HIRA.0178 )

**Honorable Assistant Commissioner  
for Patents  
Washington, D.C. 20231**

**LETTER**

Sir:

The below-identified communications are submitted in the above-captioned application or proceeding:

- |   |  |
|---|--|
| <input type="checkbox"/> Information Disclosure Statement | <input checked="" type="checkbox"/> Response to Notification of Missing Requirements |
| <input type="checkbox"/> Preliminary Amendment            | with signed Declaration  |
| <input type="checkbox"/> Petition under 37 C.F.R. 1.47(a) | <input type="checkbox"/> Verified English translation                                |
|   | <input checked="" type="checkbox"/> Check for \$ 130.00 for late Declaration         |

- ☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication, including fees under 37 C.F.R. § 1.16 and 1.17 or credit any overpayment to **Deposit Account Number 08-1480**. A duplicate copy of this sheet is attached.

10/13/2005 GFREY1 00000131 10522241

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Respectfully submitted,

\_\_\_\_\_  
Stanley P. Fisher  
Registration Number 24,344

**REED SMITH LLP**  
3110 Fairview Park Drive  
Suite 1400  
Falls Church, Virginia 22042  
(703) 641-4200  
October 5, 2005

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Juan Carlos A. Marquez  
Registration Number 34,072



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Washington, D.C. 20231

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

Sir:

This is in response to the Notification of Missing Requirements dated September 28, 2005, of the Initial Patent Examination Division of the Patent and Trademark Office, the period for response to which is set to expire on November 28, 2005. Submitted herewith is an executed Declaration for the above-captioned application.

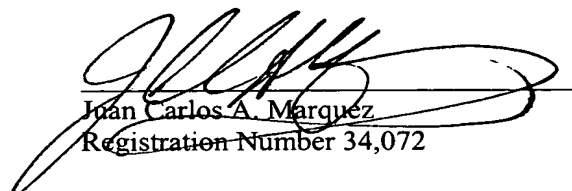
The fee of \$130.00 is enclosed for the late Declaration. Please direct any inquiries in connection with this application to the undersigned.

Respectfully submitted,

\_\_\_\_\_  
Stanley P. Fisher  
Registration Number 24,344

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Suite 1400  
Falls Church, Virginia 22042  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	10/522,241	RECEIVED SEP 29 2005 By <i>[Signature]</i>	ATTY. DOCKET NO.	HIRA.0178
			INTERNATIONAL APPLICATION NO.	PCT/JP03/09438
			I.A. FILING DATE	07/25/2003
			PRIORITY DATE	07/25/2002

38327  
REED SMITH LLP  
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FALLS CHURCH, VA 22042

CONFIRMATION NO. 1606

371 FORMALITIES LETTER



\*OC000000017118958\*

Date Mailed: 09/28/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/25/2005
- Copy of the International Search Report filed on 01/25/2005
- Copy of IPE Report filed on 01/25/2005
- Preliminary Amendments filed on 01/25/2005
- Information Disclosure Statements filed on 01/25/2005
- Oath or Declaration filed on 01/25/2005
- Request for Immediate Examination filed on 01/25/2005
- U.S. Basic National Fees filed on 01/25/2005
- Priority Documents filed on 01/25/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/522,241	PCT/JP03/09438	HIRA.0178